
**COMPILED
DRAFT CHARTER
AS OF May 6, 2014**

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Appendix A

ARTICLE 1 – POWERS OF THE COUNTY

Section 1.1 General powers

The county shall have all powers possible for a home rule county under the state constitution.

Section 1.2 Intergovernmental relations

The county may, in the exercise of its powers and performance of its functions and services, agree by contract or otherwise to participate jointly or in cooperation with any one (1) or more other governments, governmental agencies or municipal corporations, and share the costs and responsibilities of such powers, functions and services.

Section 1.3 Construction

The powers of the county granted by this charter shall be liberally construed, and the specific statement of particular powers shall not be construed as limiting the general powers. Reference to the state constitution and general law in this charter shall be construed as a continuing reference to them as they may be amended from time to time. This charter and ordinances enacted hereunder shall supersede special and general laws which are inconsistent with the charter and ordinances to the extent permitted by the state constitution.

Section 1.4 Name, boundaries, county seat

The corporate name of this county shall remain Clark County, and the boundaries and county seat shall remain as on the date of enactment of this charter until changed.

Section 1.5 Separation of powers and cooperation of branches

On January 1, 2015, the effective date of this charter, the legislative and executive powers shall be separated into two (2) branches of government. Each branch is to dutifully fulfill its responsibilities, and shall not extend its authority into the other branch, as defined in this charter.

ARTICLE 2 – THE LEGISLATIVE BRANCH

Section 2.1 County council composition

The legislative power of the county not reserved to the people or executive branch shall be vested in a county council. The council shall consist of five (5) members. The voters of each of four (4) districts shall nominate and elect one (1) council member to represent their district. The fifth member shall be nominated and elected by the voters of the entire county.

Section 2.2 Organization

- A. The council member nominated and elected countywide shall be the chair of the council.
- B. The chair shall preside over council meetings and ensure the orderly and efficient conduct of council meetings. The chair, or his or her designee, will be the county's spokesperson to articulate council policies, vision, strategies and plans; represent the county before the governor, state legislature and other state and federal agencies; meet and greet important visitors; supervise constituent response processes for the council as a whole; and serve as the county's lead representative at dedications, ceremonial activities and other public events.
- C. The council shall annually elect one (1) of its members as vice-chair, who shall act in the absence of the chair.
- D. The chair of the council shall serve on all boards and commissions that require representation by two (2) or more council members. Otherwise, the council shall vote to appoint its members to boards and commissions.
- E. A majority of the council shall constitute a quorum at all meetings.
- F. The council shall take action by and pursuant to the vote of at least a majority of its members, except where a different vote is required by this charter. A two-thirds majority of members equals four (4) votes.
- G. Except as otherwise provided in this charter, the council shall be responsible for its organization and rules of conduct for business.

Section 2.3 Terms of councilmembers

The term of office of each council member shall be four (4) years, and until a successor is elected and qualified.

Section 2.4 Powers of the council

The enumeration of particular legislative powers shall not be construed as limiting the legislative powers of the council. The council shall be the policy-determining body of the county. The council shall exercise its legislative power by adoption and enactment of ordinances, resolutions and motions. Subject to state and federal law, it shall have the power to:

- A. Levy taxes, appropriate revenue, and adopt budgets for the county.
- B. Establish compensation for all county employees and provide for the reimbursement of expenses.
- C. Adopt by ordinance comprehensive plans and land development codes, including improvement plans for present and future development in the county.
- D. Conduct public hearings on matters of public concern to assist in performing its legislative responsibilities.
- E. Carry out other legislative duties as authorized and required by law.
- F. Set collective bargaining guidelines and approve collective bargaining agreements.
- G. Confirm or reject appointments to boards and commissions forwarded by the county manager.
- H. Have concurrent authority with the county manager to nominate members to the following boards and commissions. Members are appointed by the council.
 - 1. Clark County planning commission.
 - 2. Clark County historic preservation commission.
 - 3. Board of equalization of assessment.

Section 2.5 Rules of procedure

A. Subject to limitations provided by this charter, the council shall adopt by ordinance rules of procedure governing the time, place and conduct of regular meetings and hearings and the introduction, publication, consideration and adoption of ordinances.

B. All meetings shall be open to the public, except to the extent executive sessions are authorized by law. A verbatim public record of each public meeting shall be kept. The record shall be retained in the form provided by ordinance and as required by state law for a reasonable period of time. Written minutes shall be promptly recorded and include a summation of actions from each council meeting and a record of votes by each councilmember.

C. The council shall meet regularly and no fewer than twenty-two (22) times in a calendar year.

Section 2.6 Relationship with other branches

A. Council members shall not interfere in the administration of the executive branch. They shall not issue orders to or direct, either publicly or privately, any officer, agent, employee, contractor or vendor subject to the direction and supervision of the county manager or other elected official.

B. Nothing contained herein shall prohibit a council member from:

1. Referring a citizen complaint or submitting a request for information to the county manager or another elected official.

2. Submitting a request to the county manager to work with a department head to investigate a constituent issue.

3. Requesting information or advice pertinent to the legislative deliberations and actions of the council from any officer, agent, employee, contractor or vendor subject to the direction and supervision of the county manager or other elected official.

ARTICLE 3 – THE EXECUTIVE BRANCH

Section 3.1 Composition and powers

The executive branch shall be composed of the county manager, assessor, auditor, clerk, prosecuting attorney, sheriff, treasurer and the officers and employees of administrative departments and elected executive offices established by state law or this charter or created by the council. The executive branch shall have all executive powers of the county under this charter.

Section 3.2 The county manager

A. Appointment.

1. Appointment or termination of a county manager shall require a simple majority vote of the council.
2. The county manager shall be selected on the basis of his or her executive experience and professional administrative qualifications.
3. No member of the council shall, during the time for which he or she was elected, be appointed county manager.
4. The county manager shall serve at-will. The council shall establish the county manager's terms of employment, including compensation, by written contract, provided the county manager's employment shall be at-will and terminable in accordance with contract terms and this charter.
5. Employment of a county manager shall not be construed as changing the relationship of the council members or other elected officials to their constituents, or the relationship of the council members to other elected officials.
6. The county manager shall designate a qualified employee of the county as his or her deputy county manager. The deputy county manager shall perform the duties of the county manager during the county manager's extended absence or disability.

B. Powers and Duties.

The county manager shall be the county's chief executive officer and have all executive powers of the county which are not expressly vested in other elected officers by state law or this charter. The county manager shall have the power to:

1. Supervise all administrative departments established by this charter or created by the council.
2. Execute and enforce all ordinances and state statutes not assigned to other elected officials.
3. Present to the council an annual statement of the county's fiscal and governmental affairs, and any other report which he or she may deem necessary.
4. Annually prepare and present to the council a budget and budget message setting forth proposals for the forthcoming fiscal year.
5. Prepare and present to the planning commission comprehensive plans, including capital improvement plans, and development ordinances for present and future development; present the planning commission's recommendations on these matters to the council.
6. Determine the organizational structure of and assign duties to administrative departments which are not specifically assigned by this charter or ordinance.
7. Sign or cause to be signed on behalf of the county all deeds, contracts and instruments not otherwise reserved to others by this charter or state law.
8. Conduct collective bargaining on behalf of the county, subject to state and federal law and budget direction provided by the council and as allowed by state law.
9. Manage properties owned by the county.

The specific statement of particular executive powers shall not be construed as limiting the executive powers of the county manager.

Section 3.3 Appointments by the county manager

A. The county manager shall appoint the chief officer of each administrative department.

1. Appointments by the county manager shall be presented to the council during a regular council meeting. Appointments shall take effect within fifteen (15) calendar days of the presentation, unless rejected by a two-thirds majority vote of the council. The rejection shall apply only to that appointment.

2. The county manager shall appoint chief officers on the basis of their abilities, qualifications, integrity and experience concerning the duties of the office to which they are appointed.

3. No time limitation shall be imposed on the term of employment for appointed chief officers of administrative departments.

B. The county manager shall appoint members of boards, commissions and task forces except as provided by state law, intergovernmental agreement or this charter. Appointments by the county manager shall be presented to the council during a regular council meeting. Within thirty (30) calendar days, the council shall accept or reject the appointment by a majority vote. Failure to act within thirty (30) days constitutes acceptance of the appointment. A rejection applies to that board, commission or task force position only.

Section 3.4 Administrative departments

A. The administrative departments shall consist of the departments and agencies of the executive branch that are not headed by other elected officials.

B. The chief officer of each administrative department shall appoint all officers and employees of his or her department. The chief officer shall comply with the county's human resources policies and procedures when appointing officers and employees to positions covered by human resources policies and procedures.

Section 3.5 Other elected officials

Other elected officials include the assessor, auditor, clerk, prosecuting attorney, sheriff and treasurer.

Section 3.6 Appointments by other elected officials

Other elected officials shall appoint all officers and employees of their respective elected executive offices. Other elected officials shall comply with the county's human resources policies when appointing officers and employees unless alternate human resource policies have been adopted by that official. The chief officers shall be appointed on the basis of their abilities, qualifications, integrity and experience concerning the duties of the office to which they are appointed.

ARTICLE 4 – FINANCIAL ADMINISTRATION

Section 4.1 Financial administration

A. For the purposes of budget preparation, presentation to the council and monitoring, under Chapter 36.40, the county manager is designated as the chief financial officer of the county.

B. The auditor shall be responsible for financial administration of the county, including reports to the county council on the actual revenues and expenses of the organization, in accordance with RCW 36.22.010 and this charter; provided the auditor is not responsible for those duties assigned by this charter to the treasurer or county manager.

C. The duties of treasurer are those specified in RCW 36.29.010.

ARTICLE 5 – HUMAN RESOURCES

Section 5.1 Applicability

Clark County policies shall promote effective human resource practices, create a standardized system for employee management and ensure that human resources actions and decisions comply with federal, state and local laws.

The council shall, by resolution, establish and maintain human resources policies as defined in their authority in this article.

Pursuant to the council's budgetary authority in Article 4, policies concerning employee compensation and benefits are applicable to all county employees, including employees reporting to other elected officials' offices.

Other elected officials may adopt alternate administrative policies for their offices. If alternative policies are not adopted, the policies developed for the departments reporting to the county manager apply.

Section 5.2 Council authority

The county manager shall recommend and the council shall approve policies in the areas below:

- A. Overall compensation policies including, but not limited to, base pay, incentive and premium compensation.
- C. Overall design of merit pay and step increase programs.
- D. Overall design of benefits and eligibility.
- E. Overall design of insurance benefit plans eligibility and employee contributions.

Section 5.3 County manager authority

The county manager shall develop, implement and administer human resources policies for administrative departments and other offices subject to those policies.

Human resource policies requiring council approval are presented in Article 5 Section 5.2. Council approval is not required for other human resource policies.

Section 5.4 Exclusions from the human resource policies

Human resources policies shall apply to all county employees except:

- A. Contractors.
- B. Members of boards, commissions and task forces who are not otherwise employees.
- C. The county manager.
- D. Employees excluded by state law.
- E. Other employees designated by ordinance.
- F. Offices or departments directly subject to civil service rules promulgated by the county's civil

service commission to the extent such rules conflict with the county's human resource policies. Otherwise, countywide policies apply to all civil service positions and employees.

Section 5.5 Elected official salaries and compensation

- A. Council Member.

- 1. The salary of council members initially shall be fifty-three thousand dollars (\$53,000), and shall be adjusted based on percentage changes established for state legislators by the Washington State Salary Commission.

- 2. The chair of the council shall receive a salary twenty (20) percent higher than other council members in recognition of the additional responsibilities of that position.

- B. Other Elected Officials.

- 1. The salary of the sheriff is one hundred six thousand two hundred twenty-four dollars (\$106,224) in 2014, and shall be adjusted based on percentage changes established for state legislators by the Washington State Salary Commission.

2. The salary of the assessor, auditor, county clerk and treasurer is one hundred thousand nine hundred twenty dollars (\$100,920) in 2014, and shall be adjusted biennially based on percentage changes established for state legislators by the Washington State Salary Commission.

C. If the Washington State Salary Commission increases legislative salaries to reflect a change from a part-time to full-time legislature, the percent change applied to the Executive Branch of Washington state government shall apply to council members, and other elected officials.

D. Judges and Prosecuting Attorney.

1. The terms of this charter do not apply to the salaries of judges or the prosecuting attorney.

Section 5.6 Employment and status as elected official

No county elected official shall hold any other office or employment within county government during a term of office.

Section 5.7 Privilege

County elected officials, appointed officials and employees shall not use their positions to secure employment or special employment privileges for themselves or others.

County elected officials, appointed officials and employees shall not solicit or accept any benefit, compensation, profit or advantage directly or indirectly from or by reason of the discharge of their county responsibilities and duties.

ARTICLE 6 – ELECTIONS AND DISTRICTS

Section 6.1 Election procedures

Except as provided in this charter, nominating primaries and elections shall be conducted in accordance with general law governing the election of partisan county officials.

Section 6.2 Offices designated

The offices of council member, assessor, auditor, clerk, sheriff, treasurer and prosecuting attorney shall be partisan offices. Elections for the offices shall be conducted in the manner provided for partisan local elections under state law.

Section 6.3 Qualifications – Limitations

Each county official holding elected office shall be, at the time of filing for office, appointment or election and at all times while holding office, a citizen of United States, at least eighteen (18) years old and a resident and registered voter of Clark County.

Each district county council member, throughout their term of office, shall be a resident of the district in which he or she files for the primary election.

Section 6.4 District boundaries

The boundary of each council district was established in accordance with the criteria set forth in state law. The initial council districts for the county are set forth in Appendix A.

Section 6.5 Redistricting committee

Within sixty (60) days of receipt of federal decennial census data from the state redistricting commission or its successor, the council shall establish a five (5) member redistricting committee. The council shall appoint four (4) persons to the committee, two (2) from each major political party from a list of five (5) submitted by the party's

central committee. The four (4) members of the redistricting committee shall appoint a fifth member who shall be chair. Members of the redistricting committee shall serve without salary but shall be compensated for reasonable out-of-pocket expenses. The redistricting committee shall, within thirty (30) calendar days of its appointment, meet and appoint a redistricting master. The redistricting master shall be qualified by education, training and experience to draw a redistricting plan. If the redistricting committee cannot agree on the appointment of a redistricting master within thirty (30) calendar days, the council shall appoint a districting master.

Section 6.6 Redistricting plan

Within two (2) months after appointment, the redistricting master shall draw a redistricting plan for the county and submit the plan to the committee for adoption. The committee shall conduct a public hearing at least one week before proposed adoption. The redistricting committee shall adopt the redistricting plan within thirty (30) days of submission to the committee. The redistricting plan shall be adopted as submitted or as amended by two-thirds majority vote of the redistricting committee. Upon adoption, the plan shall be filed with the council by the redistricting committee. After submission of the plan, the council shall have thirty (30) calendar days to amend the committee's plan. If the council amends the committee's plan, the amendment must be approved by an affirmative vote of two-thirds of councilmembers, and the area amended may not include more than two (2) percent of the population of any council district. No later than eight (8) months after receipt of the census data, the council shall adopt by ordinance a redistricting plan.

ARTICLE 7 – INITIATIVE AND REFERENDUM

Section 7.1 Direct government

The people of Clark County reserve the power to make certain proposals at their option and to approve or reject them at the polls, independent of the council.

Section 7.2 Initiative

The people reserve the power of initiative. An ordinance or amendment to an ordinance, except as limited by state or federal law or court interpretation, may be proposed by filing an initiative petition with the auditor. No ordinance enacted as a result of initiative shall be amended or repealed within two (2) years after enactment, except as a result of a subsequent initiative or referendum or as required by state or federal law.

A. Initiative Limitations.

The following are limited by state or federal law or court interpretations and may not be proposed or adopted by initiative.

1. Ordinances providing for compensation or working conditions of county employees or elected officials.
2. Redistricting council districts.
3. Authorizing or repealing an appropriation of money or any portion of the annual budget.
4. Authorizing or repealing taxes or fees.
5. Authorizing or repealing any provision of a service or program provided by the county.
6. Amending or repealing this charter.

B. Initiative Requirements.

1. Initiatives that require new or additional sources of revenue shall include a recommended revenue source adequate to finance the result of the initiative.

C. Initiative Procedures.

1. Any registered voter of Clark County may file an initiative proposal with the auditor, who shall transmit a copy to the prosecuting attorney. Within ten (10) business days of the filing date, the prosecuting attorney shall formulate a true and impartial ballot title, posed as a positive question not exceeding fifty (50) words.

2. The prosecuting attorney shall transmit the initiative petition to the auditor, who shall give the proposed initiative a number that will be the identifying number. Within an additional five (5) business days, the auditor shall confer with the petitioner to review and establish the form and style of the initiative petition as required by the auditor or ordinance. The prosecuting attorney shall evaluate the petition and provide the petitioner and auditor with the following statement: "In the opinion of the Clark County Prosecuting Attorney, the subject of this initiative is within the scope of local initiative powers. Yes ☐ No ☐ No opinion at this time ☐.

3. The petitioner shall have one hundred twenty (120) days after conferring with the auditor to collect signatures of registered county voters. Valid signatures collected shall number no less than ten (10) percent of the number of votes cast in the county in the last gubernatorial election. Each petition shall contain the warning clause prescribed by state law, full text of the proposed measure, ordinance or amendment to an ordinance, and ballot title.

4. The auditor shall verify the number of signatures on the petition, and, if a sufficient number of valid signatures has been submitted, place the proposal on the ballot for the next general election.

a. Signatures on the petition must be submitted to the auditor no less than one hundred fifty (150) days before the date of the next general election.

b. If the council enacts the proposal without change or amendment not less than sixty (60) days prior to said election, the proposal shall be removed from the ballot.

c. If the council does not adopt the proposed measure but adopts a substitute measure not more than fifteen (15) days after petition validation, the substitute measure shall be placed on the same ballot with the initiative proposal.

5. When a ballot contains an initiative petition, substitute measure or multiple initiative measures on the same topic, the voters shall be given the choice of rejecting or accepting each initiative.

a. If the voters accept more than one (1) initiative on the same topic, and the measures are incompatible, the initiative receiving the highest number of affirmative votes shall be approved.

b. If there are multiple measures on the same topic, compatible with one another, they may all be approved.

c. If the voters reject all initiatives, none shall be approved.

d. If the voters approve one (1) initiative and reject the others, the approved initiative shall be approved.

Section 7.3 Mini-initiative

The people reserve the power of mini-initiative, except as limited by state or federal law and subject to Article 7, Section 2(A). Ordinances or amendments to an existing ordinance may be proposed to the council by transmitting the proposal to the auditor. An initiative petition shall bear signatures of qualified voters totaling no less than three (3) percent of the number of votes cast in the county in the last gubernatorial election. The auditor shall have thirty (30) business days to validate signatures. If a sufficient number of signatures is verified, the auditor shall transmit the initiative petition to the county council. The council shall hold a public hearing on the proposed ordinance within sixty (60) days, and enact, reject or modify the proposed ordinance within thirty (30) calendar days of the hearing.

Section 7.4 Referendum

The people reserve the power of referendum. Referendum may be ordered on any ordinance, or any part thereof, passed by the council, except as limited by state or federal law or court interpretations.

A. Referendum Limitations.

The following ordinances are limited by state or federal law or court interpretations and are not subject to referendum:

1. Emergency ordinances.
2. Ordinances providing for compensation or working conditions of county employees or elected officials.
3. Ordinances authorizing or repealing an appropriation of money or any portion of the annual budget.
4. Ordinances authorizing or repealing taxes or fees.
5. Ordinances required by state or federal law.

B. Referendum Procedure.

A referendum shall be filed within ten (10) days after the council passes an ordinance. Except as set forth in this section, a referendum may be filed against an ordinance or any portion of an ordinance. Any registered Clark County voter may file with the auditor a referendum petition signed by at least one hundred (100) registered voters of Clark County.

1. The auditor shall verify signatures on the referendum petition within ten (10) calendar days. After one hundred (100) signatures are validated, the ordinance or portion of the ordinance subject to referendum is suspended until:

- a. Sufficient valid signatures are collected within the time prescribed by this section to place the measure on the ballot and voters have voted on the measure.

- b. Valid signatures are not collected within the time prescribed by this section to place the measure on the ballot.

2. Filing a referendum petition against a portion of an ordinance shall not delay the remainder of the ordinance from taking effect.

3. Within five (5) business days of filing the referendum petition, the auditor shall confer with the petitioner to review the proposal as to form and style, as required by the auditor or ordinance. The auditor shall give the referendum petition an identifying number and transmit a copy of the petition to the prosecuting attorney. Within ten (10) business days after receipt, the prosecuting attorney shall write a ballot title not to exceed fifty (50) words and posed as a positive question, which shall express a

true and impartial statement of the measure. The prosecuting attorney shall transmit the referendum petition to the auditor.

4. The petitioner shall have one hundred twenty (120) calendar days from registration to collect signatures of registered Clark County voters. The number of valid signatures collected shall equal no less than ten (10) percent of the total votes cast in the county in the last gubernatorial election. Each petition shall contain the full text of the referred measure and ballot title. The auditor shall verify the number of signatures on the petition and, if valid, submit the measure to voters at the next general election. Petition signatures must be submitted to the auditor for verification no less than one hundred fifty (150) calendar days before the date of the next general election.

Section 7.5 Recall

The people reserve the power of recall, as provided in the constitution and laws of the state of Washington.

ARTICLE 8 – GENERAL PROVISIONS

Section 8.1 Form of ordinances

No ordinance shall contain more than one (1) subject. The subject shall be clearly expressed in the title. Ordinances may, by reference, adopt Washington state statutes or any recognized printed codes or compilations in whole or in part. All county ordinances shall become part of Clark County Code. The council shall establish by ordinance procedures to codify ordinances, correct deficiencies and conflicts, make technical revisions, and remove obsolete provisions.

Section 8.2 Enactment of ordinances

Proposed ordinances may be introduced by any council member or mini-initiative. Every proposed ordinance shall be introduced in its entirety in writing. Brief summaries of proposed ordinances shall be published before consideration. The council shall hold at least one (1) public hearing after due notice to consider the proposed ordinance. A proposed ordinance may be amended by motion at hearing without publication, provided the amendments do not change the scope and object of the proposed ordinance. Final passage by council requires a roll call vote with a minimum of three (3) affirmative votes required for adoption. Ordinances, or summaries of them, shall be published after enactment. Except as otherwise provided by this charter, ordinances shall take effect ten (10) days after enactment, or at a later date if stated in the ordinance.

Section 8.3 Repeal and amendment of ordinances

Amendment of an ordinance requires presentation of the amended section, in writing, at full length. Ordinances repealing provisions of county code shall include ordinance references to the affected code.

Section 8.4 Emergency ordinances

Any proposed ordinance may be enacted as an emergency ordinance if the council finds as a fact, and states in the ordinance, the ordinance is necessary for the immediate preservation of public peace, health or safety

or for the support of county government and its existing public institutions. A minimum of four (4) affirmative votes shall be required to enact an emergency ordinance. All emergency ordinances shall be effective immediately upon passage.

Section 8.5 Resolutions

The council may pass resolutions to express its opinion of items of business or administration within its powers. Resolutions shall not have the force of law, and the council, in passing resolutions, needs not comply with procedure requirements for the introduction, consideration and passage of ordinances.

Section 8.6 Motions

The council may pass motions to confirm or reject nominations or appointments, approve inter-fund loans, organize and administer the legislative branch, perform other administrative acts related to their legislative responsibilities, and request information from any other agency of county government. Motions shall not be subject to the requirements for the introduction, consideration and passage of ordinances.

Section 8.7 Nondiscrimination

In the exercise of its powers or performance of its duties, the county shall ensure no person is discriminated against because of age, sex, marital status, sexual orientation, race, creed or color. No person shall be discriminated against because of national origin, veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, or any other legally protected status, unless based on a bona fide occupational qualification. The prohibition against discrimination because of disability shall not apply if the particular disability prevents the proper performance of the particular worker involved. The council shall take whatever action necessary to accomplish this purpose as defined in the state and federal constitutions, laws, regulations and applicable court interpretations.

Section 8.8 Purchasing, contracts, claims and bonds

The council shall by ordinance establish procedures for purchasing supplies, services, materials, equipment, awarding contracts and processing claims and for the sale or refunding of bonds. The ordinance shall provide direction about when bids are required and how invitations for bids are advertised. All purchases, contracts and bonds subject to bid procedures shall be advertised and, unless all bids are rejected, shall be awarded on the basis of sealed bidding to the lowest responsible bidder. Elected or appointed officials and employees shall not directly benefit from contracts made by, through or under their supervision. No county elected official shall accept any employment or compensation from any county contractor during a term of office.

Section 8.9 Franchises

All franchises granted by the council shall be for a fixed term not to exceed twenty-five (25) years. No exclusive franchise shall be granted for the use of any street, road or public place. All franchises shall be subject to the power of eminent domain and right of the council or people acting through initiative or referendum to repeal, amend or modify the franchise in the public's interest. Every ordinance granting a franchise shall contain a reservation of these rights. In a proceeding under eminent domain, the franchise itself shall have no value.

Section 8.10 Public disclosure

Public disclosure of the financial interests of Clark County officials and employees shall be governed by county ordinance and general law.

Section 8.11 Severability

If any section, subsection, clause, word or phrase of this charter is held invalid, unconstitutional or inapplicable to any person by a court of competent jurisdiction, such invalidity, unconstitutionality or inapplicability to any person shall not affect the validity or constitutionality or applicability to all other persons of the remaining portions of this charter.

ARTICLE 9 – CHARTER REVIEW AND AMENDMENTS

Section 9.1 Charter review commission

This charter shall be reviewed periodically by a charter review commission (“commission”) as provided in this article.

A. Election and Period of Office.

Five (5) years after adoption of this charter and at least every ten (10) years thereafter, the council shall cause an election of a charter review commission. The commission shall consist of fifteen (15) persons, elected on a nonpartisan basis; three (3) will be from each council district and three (3) will be countywide. These candidates shall file during the regular candidate filing period and pay a twenty-five dollar (\$25.00) filing fee. No primary will be held for this election. The election shall be held at the November general election. The member receiving the greatest number of votes shall convene the commission. The term of office for persons elected to the commission shall be one (1) year or until the work of the commission concludes, whichever occurs sooner. The commission may meet at appropriate times and places, as long as meetings are held within the jurisdictional boundaries of Clark County. Public notice of each meeting must be provided in a newspaper of general circulation throughout the county and by a posting on the county’s website at least fourteen (14) days in advance of the meeting.

B. Vacancy.

Vacancies on the commission shall be filled by the remaining members of the commission within thirty (30) calendar days after the chair declares a vacancy provided that within ten (10) days of the declaration, notice shall be given residents of the district in which the vacancy occurs in a manner determined by the commission. The person selected to fill the vacancy shall reside in the district where there is a vacancy. Selection requires a simple majority vote of the commission.

C. Financial Support.

Members of the commission shall serve without salary, but shall be reimbursed for reasonable out-of-pocket expenses. The council shall provide the commission with reasonable and necessary money, facilities and services to effectively and efficiently fulfill its purpose.

Section 9.2 Commission responsibility and duty

The commission is bound by responsibility and duty to review the charter to determine its adequacy and suitability to the needs of the county and propose necessary and appropriate amendments.

Section 9.3 Charter amendments, general provisions

Charter amendments may be proposed by the charter review commission, council or public. All amendments are subject to the general provisions below.

A. Filing Charter Amendments.

Proposed charter amendments shall be transmitted to the auditor. Amendments shall be submitted to the voters at the next November general election occurring at least ninety (90) calendar days after registration of the proposed amendment. If more than one (1) amendment is submitted on the same ballot, amendments shall be submitted so the people may vote for or against them separately. An amendment which embraces a single or interrelated subject may be submitted as a single proposition even though it includes changes to different sections of one (1) or more articles.

B. Approval of Charter Amendments by the Electorate.

1. When there are multiple amendments on the same topic, the voters shall be given the choice of rejecting or accepting each amendment.

a. If the voters accept more than one (1) amendment on the same topic, and the measures are incompatible, the amendment receiving the highest number of affirmative votes shall be approved.

b. If there are multiple amendments on the same topic, compatible with one another, they may all be approved.

c. If the voters reject all amendments, none shall be approved.

d. If the voters approve one (1) amendment and reject the others, the approved amendment shall be approved.

2. Amendments approved by a majority of the voters shall be effective ten (10) calendar days after the results of the election are certified, unless a later date is specified in the amendment. Implementing ordinances required by a charter amendment shall be enacted by the council within one hundred eighty (180) calendar days after the charter amendment is effective, unless the charter amendment provides otherwise.

Section 9.4 Charter amendments proposed by the charter review commission

The commission may propose amendments to the charter by filing proposed amendments with the auditor in conformance with Section 9.3(A) of this article.

Section 9.5 Charter amendments proposed by the public

A. Proposing a Public Charter Amendment.

1. A registered voter of Clark County may file a proposed charter amendment with the auditor, who shall transmit a copy to the prosecuting attorney. Within ten business days of the filing date, the prosecuting attorney shall formulate a ballot title not to exceed fifty (50) words and posed as a positive question, which shall be a true and impartial statement.

2. The prosecuting attorney shall transmit the proposed ballot title to the auditor. The auditor shall give the proposed charter amendment an identifying number.

3. Within ten (10) business days of receiving the proposed ballot title, the auditor shall confer with the petitioner to establish the form and style of the charter amendment petition as required by the auditor or by ordinance.

B. Submission of a Public Charter Amendment.

A proposed charter amendment petition must bear the valid signatures of registered voters of the county equal to at least twenty (20) percent of the number of votes cast in the county's last gubernatorial election. Signatures shall be submitted to the auditor not more than one hundred fifty (150) calendar days following the date of conference with the petitioner to establish the form and style of the petition, and at least one hundred fifty (150) calendar days before the next general election.

Section 9.6 Charter amendments proposed by the council

The council may propose amendments to the charter by enacting an ordinance to submit a proposed amendment to the voters at the next November general election occurring at least ninety (90) days after enactment. A minimum of four (4) affirmative votes of the council shall be required to enact such an ordinance. The amendment shall be submitted to the auditor in compliance with Section 9.3(A) of this article.

Section 9.7 Codification

Amendments to the charter shall be incorporated in the text of the original charter and published. The text of the transition article shall appear only in the initial charter as published.

ARTICLE 10 – TRANSITIONAL PROVISIONS

Section 10.1 Purpose of article

Transitions from the existing form of government to the form of government established by this charter are guided by this article. Where this article is inconsistent with other articles of this charter, the provisions of this article shall constitute exceptions.

Section 10.2 Form of government established

The form of government provided in this charter shall be established on January 1, 2015, in accordance with Article XI, Section 4, of the Washington State Constitution. This date shall be known as the “effective date.” On the effective date, county commissioners holding office shall become council members.

The board of county commissioners shall become the county council on the effective date. The board of county commissioners’ executive authority shall transfer from the board to the county administrator, who shall become the acting county manager on the effective date. The council shall not appoint a permanent county manager until all five (5) council members are elected and sworn into office. If the county administrator position is vacant, the council may appoint a qualified individual to hold the position on an interim basis until a county manager is selected as per the provisions of this transition article.

Section 10.3 Continuation of ordinances and vested rights

All county ordinances, policies and resolutions in force immediately prior to the effective date, to the extent they are consistent with the provisions of this charter, shall remain in full force and effect until amended or repealed. All contracts, rights, claims, obligations, proceedings and liabilities in favor of or against the county, and all criminal proceedings existing immediately prior to the effective date, are not affected by adoption or effectiveness of this charter and shall remain in full force and effect.

Section 10.4 Boards and commissions

All boards, commissions and task forces existing on the effective date shall continue until modified or abolished by ordinance.

Section 10.5 Budget

The budget approved by the board of county commissioners for 2015-2016 shall remain in effect through the end of the budget period, unless revised by the council.

Section 10.6 Transition to council districts, elections and terms of office

A. On the effective date, the county council shall be three (3) members, with council districts being the same as existing county commissioner districts. Members shall elect a chair. Transition to a five (5) member council shall occur on January 1, 2016.

B. On the effective date, each county commissioner whose position was filled by election in 2012 shall continue in office as a county council member for the remainder of the term to which he or she was elected. The person elected in the 2014 general election for Commissioner District 3 shall serve as a county council member until December 31, 2018, when the term of that position shall expire.

C. In the 2015 primary and general elections, the voters of the county shall elect two (2) council members to take office January 1, 2016. One (1) council member shall be nominated and elected countywide. The council member elected countywide shall be the chair of the council beginning January 2016. The other member shall be elected from either Council District 1 or District 2, whichever is the vacant council seat remaining after the November 2014 election. These two (2) council members shall serve initial terms of three (3) years, which shall expire December 31, 2018. Subsequently, the full term of office for county council members shall be four (4) years.

D. On January 1, 2016, former county commissioners serving on the three (3) member council shall transition to represent a district established under this charter as follows:

1. Commissioner District 1 representative shall represent Council District 4.
2. Commissioner District 2 representative shall represent Council District 3 subject to the exception under 4. of this section.

3. Commissioner District 3 representative shall represent either Council District 1 or District 2, depending on the residence of the candidate winning the November 2014 county commissioner election.

4. If two council members reside in the same district, the council member residing closest to another council district, other than their district in common, shall represent the other district for the remainder of the term for which they are elected. The council member residing further from any other district shall represent the district in which the council member resides.

E. In the event of a vacancy in a county council position between the effective date and the January 2016 assignments to council districts, each person appointed to fill the vacancy shall retain the same council district as the original council member, regardless of residence location. Salary shall be fifty-three thousand dollars (\$53,000) per year.

F. Any person appointed or elected to fill an unexpired term of a council member elected before 2015 shall be paid fifty-three thousand dollars (\$53,000) per year.

Section 10.7 Salaries of elected officials

A. Option A.

The salaries of council members shall be:

1. County commissioners elected in 2012 and serving through December 2016: one hundred two thousand two hundred twenty-eight dollars (\$102,228).

2. County commissioner elected in 2014 serving January 2015 through December 2018: fifty-three thousand dollars (\$53,000).

3. County council members elected in 2015 and serving January 2016 through December 2018: fifty-three thousand dollars (\$53,000).

B. Option B.

The salaries of council members shall be:

1. County commissioners elected in 2012 and serving through December 2016: one hundred two thousand two hundred twenty-eight dollars (\$102,228).
2. County commissioner elected in 2014 serving January 2015 through December 2018: one hundred two thousand two hundred twenty-eight dollars (\$102,228) in 2015 and 2016 and fifty-three thousand dollars (\$53,000) in 2017-2018.
3. County council members elected in 2015 and serving January 2016 through December 2018: fifty-three thousand dollars (\$53,000).

Section 10.8 Code revisions

On or about December 31, 2015, the prosecuting attorney shall propose amendments to the Clark County Code that are necessary to make code consistent with this charter.

Section 10.9 Charter amendments

The county council may not propose amendments this charter until all five (5) council members are seated.

APPENDIX A
VOTING PRECINCTS FOR COUNCIL DISTRICTS

PRECINCT Number	DISTRICT NAME	PRECINCT Number	DISTRICT NAME	PRECINCT Number	DISTRICT NAME	PRECINCT Number	DISTRICT NAME
102	D1	153	D2	624	D3	525	D4
104	D1	370	D2	626	D3	528	D4
106	D1	390	D2	627	D3	530	D4
108	D1	400	D2	628	D3	535	D4
110	D1	410	D2	629	D3	536	D4
112	D1	415	D2	631	D3	537	D4
113	D1	420	D2	633	D3	538	D4
120	D1	423	D2	634	D3	540	D4
130	D1	424	D2	641	D3	570	D4
147	D1	425	D2	644	D3	572	D4
150	D1	426	D2	645	D3	573	D4
160	D1	430	D2	646	D3	574	D4
170	D1	432	D2	647	D3	575	D4
175	D1	434	D2	648	D3	576	D4
180	D1	435	D2	649	D3	577	D4
190	D1	436	D2	652	D3	578	D4
200	D1	440	D2	653	D3	579	D4
220	D1	441	D2	654	D3	580	D4
225	D1	444	D2	655	D3	581	D4
240	D1	445	D2	656	D3	582	D4
245	D1	446	D2	658	D3	583	D4
250	D1	447	D2	659	D3	584	D4
255	D1	448	D2	662	D3	585	D4
257	D1	449	D2	664	D3	586	D4
290	D1	450	D2	667	D3	587	D4
294	D1	451	D2	668	D3	588	D4
296	D1	452	D2	669	D3	590	D4
298	D1	453	D2	672	D3	591	D4
325	D1	455	D2	674	D3	592	D4
327	D1	456	D2	677	D3	593	D4
330	D1	460	D2	678	D3	594	D4
335	D1	470	D2	679	D3	595	D4
337	D1	480	D2	680	D3	596	D4
338	D1	483	D2	681	D3	597	D4
340	D1	485	D2	682	D3	598	D4
350	D1	487	D2	683	D3	600	D4
360	D1	490	D2	685	D3	603	D4

PRECINCT Number	DISTRICT NAME
395	D1
639	D1
640	D1
642	D1
643	D1
650	D1
651	D1
660	D1
663	D1
670	D1
673	D1
675	D1
100	D1

END

PRECINCT Number	DISTRICT NAME
491	D2
500	D2
502	D2
503	D2
505	D2
510	D2
511	D2
515	D2
520	D2
521	D2
522	D2
523	D2
524	D2
527	D2
543	D2
545	D2
550	D2
553	D2
555	D2
560	D2
563	D2
565	D2
566	D2
571	D2
630	D2
632	D2
635	D2
636	D2
638	D2

END

PRECINCT Number	DISTRICT NAME
686	D3
687	D3
688	D3
689	D3
690	D3
691	D3
692	D3
693	D3
694	D3
695	D3
696	D3
697	D3
698	D3
699	D3
700	D3
710	D3
720	D3
957	D3
958	D3
959	D3

END

PRECINCT Number	DISTRICT NAME
605	D4
606	D4
610	D4
613	D4
615	D4
617	D4
618	D4
620	D4
625	D4
900	D4
903	D4
905	D4
910	D4
912	D4
913	D4
914	D4
917	D4
920	D4
925	D4
930	D4
935	D4
940	D4
947	D4
950	D4
951	D4
953	D4
960	D4
961	D4
962	D4
963	D4
964	D4
965	D4
966	D4
967	D4
968	D4
969	D4
985	D4

END

